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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel A. Henderson
Application No: 08/726,024
Filing Date: 10/04/1996
Title: Method and Apparatus For Improved Personal Communication
Devices and Systems
Atty. Docket: H-119

Examiner: O. Anwah
Art Unit: 2614

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By: [Signature]
Robert K. Tandler
Reg. No.: 24,581
Attorney for Applicant

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

For the Examiner's convenience and to simplify the Examiner's review of documents submitted under the Information Disclosure Statement system, Applicant provides herewith a listing of all of the U.S. Patent Documents, Foreign Patent Documents and other documents, which have been previously submitted, along with patents and documents that are presently enclosed. Presently enclosed documents have a superscript "1" at the end of the number indicating the document.

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;*
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or*
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).*

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose

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to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;*
- (2) each attorney or agent who prepares or prosecutes the application; and*
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).*

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Supplemental Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE *:"Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).*

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK

Applicants: Daniel A. Henderson Attorney Docket: H-119
Serial No: 08/726,024 Art Group Unit: 2614
Date Filed: October 4, 1996 Examiner Name: Anwah, O.
Invention: METHOD AND APPARATUS FOR IMPROVED PERSONAL
COMMUNICATION DEVICES AND SYSTEMS

**LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

US PATENT DOCUMENTS

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Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449))

This application relies, under 35 U.S.C. section 120, on the earlier filing date of prior application SN.:08/177,851, filed on 1/5/94, now U.S. Patent No. 6,278,862. That application, and the following child applications, may include technically-related subject matter and/or claims that are similar to this application:

08/726,024 filed on 10-04-1996 which is Pending claims the benefit of 08/177,851
09/477,167 filed on 01-04-2000 which is Abandoned claims the benefit of 08/177,851
09/632,040 filed on 08-03-2000 which is Abandoned claims the benefit of 08/177,851
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09/732,142 filed on 12-07-2000 which is Abandoned claims the benefit of 08/177,851
09/736,919 filed on 12-14-2000 which is Abandoned claims the benefit of 08/177,851
09/746,512 filed on 12-22-2000 which is Abandoned claims the benefit of 08/177,851
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11/059,121 filed on 02-16-2005 which is Pending claims the benefit of 08/177,851
11/115,445 filed on 04-27-2005 which is Pending claims the benefit of 08/177,851
11/134,669 filed on 05-19-2005 which is Pending claims the benefit of 08/177,851
11/134,670 filed on 05-19-2005 which is Pending claims the benefit of 08/177,851

The Examiner is requested to review the entire file histories of these applications, including cited references, Office Actions, Responses, etc., and is asked to contact Applicant's Attorney if the Examiner would like the Applicant to supply copies of any or all of the information included in any of these applications. For any of these applications, if Applicant's Attorney is not contacted by the

Examiner with such a request, then it will be assumed that the Examiner has reviewed or will review the file content of the application. The identification of the above-identified applications is not a waiver of secrecy for any of the applications.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

U.S. patent citations are not included pursuant to the United State Patent and Trademarks Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.

Those references listed with a "1" are enclosed herewith. All other references have been previously provided.

Copies of references ABEG and ABEL were not readily available and therefore are not included herewith.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-47, 38).

Reference AABU is possibly circa 1996 based on a virtually identical version of the web page obtained from <http://web.archive.org/web/19961221195506/http://www.net-pager.com/> dated December 21, 1996, a copy of which is included as reference HAAO.

References AADV and AADW are possibly circa 1993-1994 based on information from wikipedia.com indicating that the EO tablet computer was released in April 1993 and the service was shut down on July 29, 1994.

Reference AAMP is possibly circa September 1994 based on the Teledynamics Catalog reference in the grandparent application apparently listing the Fans Telesecretary P161P for sale by September 1994.

Reference AAXT is possibly circa October 1994 based on the following report of Bellcore unveiling MediaCom software for windows:
<http://www.allbusiness.com/periodicals/article/458127-1.html>.

Reference AAIL is possibly circa 1990-1991 based on a comment in the left-most column that Itoh predicts a rebound in results in 1991.

Section 10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

The person making this certification is

(a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.



SIGNATURE OF PRACTITIONER

Reg. No.: 24,581

Robert K. Tandler
(type or print name of practitioner)

Tel. No.: (617) 723-7268

65 Atlantic Avenue
P.O. Address

Customer No.:

Boston, MA 02110